

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JUSTIN VALENCIA,

Plaintiff,

-against-

BEAUTYQUE NYC, LLC,

Defendant.

24-CV-05625 (MMG)

ORDER

MARGARET M. GARNETT, United States District Judge:

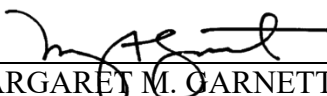
The Plaintiff commenced this case on July 25, 2024. *See* Dkt. No. 1. On July 29, 2024, the Court issued an order directing that (1) within 30 days of service of the summons and complaint upon Defendant, the parties must meet and confer in a good-faith attempt to settle the action; and (2) within 15 additional days thereafter (*i.e.*, within 45 days of service of the summons and complaint), the parties must submit a joint letter detailing particular information, as set forth in the Court's Order at Dkt. No. 5. *See* Dkt. No. 5.

The summons and complaint were served upon Defendant on August 20, 2024. *See* Dkt. No. 6. As such, the parties were required to meet and confer by September 19, 2024, and to file a joint letter by October 4, 2024, in accordance with the Court's Order at Dkt. No. 5. No letter was filed on the docket. On October 15, 2024, Court staff emailed counsel for Plaintiff, reminding counsel that the joint letter had been due on October 4, inquiring as to the status of filing the letter, and asking—if counsel for Plaintiff knew counsel for Defendant's contact information—that counsel for Plaintiff copy counsel for Defendant in any response. Counsel never responded.

If, **by October 28, 2024**, Plaintiff fails to file one of the following: (i) a joint letter in accordance with the Order at Dkt. No. 5; (ii) a letter from Plaintiff's counsel explaining the status of discussions between the parties: or (iii) a notice of voluntary dismissal or letter notifying the Court of a settlement in principle, the Court will dismiss the case for abandonment or failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, without further notice to either party. *See Taub v. Hale*, 355 F.2d 201, 202 (2d Cir. 1966) (*per curiam*).

Dated: October 22, 2024
New York, New York

SO ORDERED.


MARGARET M. GARNETT
United States District Judge